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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/944,919	08/31/2001	Maria Castellanos	HP-10007912	3894

7590

09/02/2003

HEWLETT-PACKARD COMPANY
Intellectual Property Administration
P.O. Box 272400
Fort Collins, CO 80527-2400

EXAMINER

AMSBURY, WAYNE P

ART UNIT

PAPER NUMBER

2171

DATE MAILED: 09/02/2003

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/944,919

Applicant(s)

CASTELLANOS ET AL.

Examiner

Wayne Amsbury

Art Unit

2171

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 31 August 2001.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-30 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-30 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 31 August 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on _____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). _____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____.

CLAIMS 1-30 ARE PENDING

1. 35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. These claims comprise an abstract conceptual method, as opposed for instance, to a computer-implemented method.

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

Claims 1-2, 5, 9-12, 15, 19-22, 25 and 29-30 are rejected under 35 U.S.C. 102(b) as being anticipated by Domini et al (Domini), US 6,085,206, 4 July 2000.

Domini is directed to the correction of both spelling and grammatical construction in a document. Misspelling is one form of dirty text, The extraction of grammatical constructions is a form of data mining.

As to **claims 1-2**, Domini detects misspelled words and allow the user to correct them and provides for the automatic replacement of such words with correct spellings [COL 13 lines 19-42].

This removes an instance of dirty text within a document to produce a cleaned document. The parsing of a sentence [COL 4 lines 10-29] is a data mining operation the cleaned sentence.

As to **claim 5**, Domini determines the beginning and end of sentences [COL 3 lines 42-54].

As to **claim 9**, the text mining of Domini contains selections of functions to be performed, as noted at COL 4 lines 21-29.

As to **claim 10**, Domini provides for switches that control the mining operations and which inherently involve a parameter, as seen in FIG 3-4.

The elements of **claims 11-12, 15, 19-22, 25 29-30** are rejected in the analysis above and these claims are rejected on that basis.

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of

the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

Claims 3-4, 6-8, 13-14, 16-18, 23-24 and 26-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Domini et al (Domini), US 6,085,206, 4 July 2000 in light of Zamora, US 4,965,763, 23 October 1990.

Domini does not explicitly address the scoring and ranking of sentences. It is well known to index, rank, and sort documents based on components, as evidenced by Zamora [ABSTRACT; SUMMARY; COL 38 lines 8-20 and elsewhere]. Zamora is directed to extracting and analyzing components of documents, particularly sentences, in the form of frames [FIG 3, 18; COL 4 lines 37-41, 50-53 and elsewhere].

As to **claim 6**, it **would have been obvious** to one of ordinary skill in the art at the time of the invention to apply the cleanup procedure of Domini to the analysis of Zamora because this would provide a more accurate basis for document analysis. It **would have been obvious** to one of ordinary skill in the art at the time of the invention to rank the business documents of Zamora in terms of significant sentences such as the subject statement and the reference statement [COL 6 lines 1-16] because they are important for determining the significance of a business document.

As to **claim 7**, it is clear that the frames of Zamora involve both narrative and non-narrative text.

As to claim 8, the index of Zamora corresponds to a summary, so does the inverted file of FIG 18.

As to **claims 2-3**, neither Domini nor Zamora explicitly addresses the extraction of computer code or a table, but these are well known components of documents of various types. In particular, web pages include a form of computer code. It would have been obvious to one of ordinary skill in the art at the time of the invention to include these structures in the mining and analysis of documents because to omit them would severely limit the applicability of the system.

The elements of claims **13-14, 16-18, 23-24 and 26-28** rejected in the analysis above and these claims are rejected on that basis.

4. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Wayne Amsbury whose telephone number is 703-305-3828. The examiner can normally be reached on M-TH 7-5.


If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Safet Metjahic can be reached on 703-308-1436. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 703-305-9700.

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WAYNE AMSBURY
PRIMARY PATENT EXAMINER